

November 15, 2013

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
November 15, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 1:00 P.M. AT 607 EAST ADAMS STREET, SUITE 801, SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD OCTOBER 18, 2013

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD OCTOBER 18, 2013?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	137.....	16
Agriculture	348.....	16
Arts Council	16.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,451.....	113
Children and Family Services	2,697.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	371.....	69
Commerce Commission	74.....	0
Corrections.....	10,949.....	104
Criminal Justice Authority	56.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	84.....	5
Employment Security.....	1,419.....	30
Environmental Protection Agency.....	797.....	17
Financial & Professional Regulation.....	419.....	44
Gaming Board	141.....	6
Guardianship and Advocacy	102.....	7
Healthcare and Family Services	2,077.....	25
Historic Preservation Agency.....	160.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	141.....	9
Human Services	11,186.....	78
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission	4.....	1
Insurance	217.....	16
Investment Board	3.....	2
Juvenile Justice.....	977.....	24
Labor.....	87.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.	16.....	2
Lottery.....	138.....	7
Military Affairs	122.....	3
Natural Resources	1,090.....	30
Pollution Control Board	20.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,072.....	41
Racing Board.....	2.....	1
Revenue.....	1,701.....	51
State Fire Marshal	131.....	12
State Police.....	1,080.....	7
State Police Merit Board	5.....	1
State Retirement Systems.....	103.....	2
Transportation	2,181.....	0
Veterans' Affairs	1,277.....	9
Workers' Compensation Commission.....	130.....	10
TOTALS	43,132.....	854

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Central Management Services – proposed exemption (continued from October 18, 2013 meeting)

Position Number	40070-37-00-000-40-01
Position Title	Senior Public Service Administrator
Bureau/Division	Information Technology
Functional Title	Chief Information Technology Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Torture Inquiry and Relief Commission – Proposed Exemption

Position Number	40070-50-02-000-00-01 ¹
Position Title	Senior Public Service Administrator
Functional Title	Director
Incumbent	James P. Sledge
Supervisor	Chairman
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend continued 4d(3) exemption.”

E. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption

Position Number	40070-42-70-000-10-01 ²
Position Title	Senior Public Service Administrator
Bureau/Division	Energy and Recycling
Functional Title	Electric Vehicle Coordinator / Policy Advisor
Incumbent	Kate Tomford
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position continues to meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend continued 4d(3) exemption.”

¹ The exemption for this position expires December 31, 2013.

² The exemption for this position expires November 15, 2013

F. Illinois Department on Aging – proposed exemption

Position Number	40070-47-00-000-00-03
Position Title	Senior Public Service Administrator
Bureau/Division	Executive
Functional Title	Special Assistant for Health Reform Manager
Incumbent	Michael Gelder
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Chief Information Technology Officer (CMS)**
- D: Director (Torture Inquiry and Relief Commission)**
- E: Electric Vehicle Coordinator/Policy Advisor (CEO)**
- F: Special Assistant for Health Reform Manager (Aging)**

G. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission

On October 15, 2013 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of 168 current 4d(3) exempt positions which may no longer meet the requirements for exemption. Each affected agency director was also provided with a courtesy notice of this proposed action. After resolving a number of issues with several of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Section 1.142(b) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Item	Position Number	Agency	Functional Title
1	40070-16-07-100-00-01	CFS	Chief Labor Relations Administrator
2	37015-42-00-000-01-01	CEO	Legislative Liaison for International Trade Office
3	37015-42-00-230-00-01	CEO	Legislative Liaison
4	40070-42-00-090-05-01	CEO	Assistant Deputy Director, Office of Trade and Investment

Item	Position Number	Agency	Functional Title
5	40070-42-00-200-00-01	CEO	Chief Legislative Liaison
6	40070-42-00-310-00-01	CEO	Chief Budget Officer
7	40070-42-00-700-00-01	CEO	Entrepreneurial/Small Business Programs
8	40070-42-00-740-00-01	CEO	High Performance Work Place
9	40070-42-10-200-00-01	CEO	Regional Manager (Northwest)
10	40070-29-20-212-10-01	DOC	Assistant Supervisor, West Side ATC
11	40070-29-55-300-00-01	DOC	AWO-Illinois River
12	40070-29-56-300-00-01	DOC	AWO-Taylorville
13	40070-29-60-200-00-01	DOC	AWP-Tamms
14	40070-29-60-300-00-01	DOC	AWO-Tamms
15	40070-29-84-200-00-01	DOC	AWP-Dwight
16	40070-29-84-300-00-01	DOC	AWO-Dwight
17	40070-29-85-300-00-01	DOC	AWO-Pontiac
18	40070-29-92-200-00-01	DOC	AWP-Centralia
19	40070-10-41-200-00-20	DHS	Superintendent of Schools, Division of Rehabilitation Services
20	40070-10-66-200-10-01	DHS	Deputy Director, Developmental Disabilities Center Admin.
21	40070-10-82-000-00-01	DHS	Regional Executive Director, Region 1 South
22	40070-10-90-333-00-01	DHS	Assoc. Director, Office of Community & Positive Youth Development
23	40070-27-16-200-00-01	DJJ	Assistant Warden Programs-Murphysboro
24	40070-27-35-200-00-01	DJJ	Assistant Warden Programs-Joliet
25	40070-27-35-300-00-01	DJJ	Assistant Warden Operations-Joliet
26	40070-45-00-600-00-01	Lottery	Director of Product Development
27	40070-20-04-000-00-81	DPH	Dep. Director of Office of Men's Health
28	40070-20-06-201-00-11	DPH	Regional Health Officer - Rockford
29	40070-20-06-205-00-51	DPH	Regional Health Officer - Marion
30	40070-20-09-200-00-01	DPH	Division Chief, Disaster Planning and Readiness
31	40070-20-51-000-00-01	DPH	Division Chief, Infectious Diseases
32	40070-25-45-000-00-01	DOR	Human Resources Director
33	40070-50-04-000-00-01	SPAC	Executive Director
34	40070-50-04-000-01-01	SPAC	Senior Policy Advisor
35	37015-50-50-100-00-16	SFM	Fire Safety Compliance Manager
36	40070-21-00-000-00-02	ISP	Chief Public Safety Policy Advisor
37	40070-21-00-040-00-01	ISP	Chief of Staff

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- G1: Chief Labor Relations Administrator (CFS)**
- G2: Legislative Liaison for International Trade Office (CEO)**
- G3: Legislative Liaison (CEO)**
- G4: Assist. Deputy Director, Office of Trade & Investment (CEO)**
- G5: Chief Legislative Liaison (CEO)**
- G6: Chief Budget Officer (CEO)**
- G7: Entrepreneurial/Small Business Programs (CEO)**
- G8: High Performance Work Place (CEO)**
- G9: Regional Manager-Northwest (CEO)**
- G10: Assistant Supervisor, West Side ATC (DOC)**
- G11: Assistant Warden Operations-Illinois River (DOC)**
- G12: Assistant Warden Operations-Taylorville (DOC)**
- G13: Assistant Warden Programs-Tamms (DOC)**
- G14: Assistant Warden Operations-Tamms (DOC)**
- G15: Assistant Warden Programs-Dwight (DOC)**
- G16: Assistant Warden Operations-Dwight (DOC)**
- G17: Assistant Warden Operations-Pontiac (DOC)**
- G18: Assistant Warden Programs-Centralia (DOC)**
- G19: Superintendent of Schools, Div. of Rehabilitation Services (DHS)**
- G20: Deputy Director, Developmental Disabilities Center Admin. (DHS)**
- G21: Regional Executive Director, Region 1 South (DHS)**
- G22: Assoc. Director, Office of Community & Positive Youth Dev. (DHS)**
- G23: Assistant Warden Programs-Murphysboro (DJJ)**
- G24: Assistant Warden Programs-Joliet (DJJ)**
- G25: Assistant Warden Operations-Joliet (DJJ)**
- G26: Director of Product Development (Lottery)**
- G27: Deputy Director of Office of Men's Health (DPH)**
- G28: Regional Health Officer – Rockford (DPH)**
- G29: Regional Health Officer – Marion (DPH)**
- G30: Division Chief, Disaster Planning & Readiness (DPH)**
- G31: Division Chief, Infectious Diseases (DPH)**
- G32: Human Resources Director (DOR)**
- G33: Executive Director (Sentencing Policy Advisory Council)**
- G34: Senior Policy Advisor (Sentencing Policy Advisory Council)**
- G35: Fire Safety Compliance Manager (SFM)**
- G36: Chief Public Safety Policy Advisor (ISP)**
- G37: Chief of Staff (ISP)**

VI. CLASS SPECIFICATIONS

The following class titles were submitted for creation and revision by the Director of the Illinois Department of Central Management Services:

- Corrections Nurse Trainee (create)
- Corrections Nurse I (revise)

CMS Classification Analysis: “During the contract term, July 1, 2012 through June 30, 2015, the parties (State of Illinois and the Illinois Nurses Association) agreed to meet to study the feasibility of creating a Corrections Nurse Trainee title. A Side Letter was issued and signed on June 19, 2013, regarding this agreement. The Department of Corrections subsequently requested the establishment of a new Corrections Nurse Trainee class specification. The new class will require an associate degree or diploma degree in nursing or a bachelor's degree in nursing and no previous professional nursing experience. This will enable the Department of Corrections to recruit nurses right out of nursing schools and not have to wait a whole year to hire them. The Department of Juvenile Justice will also use this new title.

With the creation of the Corrections Nurse Trainee, the Education and Experience section of the Corrections Nurse I has been revised to require completion of the Corrections Nurse Trainee program or one year of nursing experience.”

WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON DECEMBER 1, 2013?

- Corrections Nurse Trainee (create)**
- Corrections Nurse I (revise)**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	9/30/13	10/31/13	10/31/12
Aging	1	1	2
Agriculture	3	0	1
Children and Family Services	2	0	5
Healthcare and Family Services	2	1	5
Historic Preservation Agency	11	1	3
Human Services	0	0	3
Natural Resources	10	1	10
Revenue	3	1	3
Transportation	0	0	10
Veterans' Affairs	0	0	1
Totals	32	5	43

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-1-14

Employee	Shanquwil D. Jones	Appeal Date	07/09/13
Agency	Human Services	Decision Date	11/01/13
Appeal Type	Discharge	Proposal for Decision	Charges are proven and warrant a 60-day suspension plus duration of suspension pending discharge.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

S-7-14

Employee	Nadine C. Porebski	Appeal Date	10/17/13
Agency	Illinois State Police	Decision Date	10/25/13
Type	Suspension	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR
DECISION IN THE ABOVE MATTER?**

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held on Friday, December 20, 2013 at 10:30
a.m. in the Commission's Chicago office.**

XIV. MOTION TO ADJOURN